

IZARD NOBEL LLP  
 Mark P. Kindall (138703)  
 29 South Main Street, Suite 215  
 West Hartford, Connecticut 06107  
 Tel.: (860) 493-6292  
 Fax: (860) 493-6290  
 mkindall@izardnobel.com

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 AT SAN FRANCISCO**

-----X  
 DAVID APPLESTEIN, Individually and on Behalf )  
 Of All Others Similarly Situated, )  
 )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 MEDIVATION, INC., DAVID T. HUNG, C. )  
 PATRICK MACHADO, LYNN SEELY and )  
 ROHAN PALEKAR, )  
 )  
 Defendants. )  
 -----X

No. CV 10-0998 MHP

**CLASS ACTION**

**JOINT STIPULATION AND  
~~[PROPOSED]~~ ORDER  
 REGARDING CONTINUATION  
 OF CASE MANAGEMENT  
 CONFERENCE**

CTRM: 15, 18<sup>th</sup> Floor  
 JUDGE: Hon. Marilyn H. Patel

WHEREAS, on May 10, 2010, motions for appointment as Lead Plaintiff were filed by Randy Schindler (Docket No. 7), Michael Solomon, Greg Hershberger and Harvey Schwartz (Docket No. 13), Catoosa Fund, LP (Docket No. 24), Mark Slotkin (Docket No. 28), and Hopson Family Investments (Docket No. 37) in the above-referenced action; and

WHEREAS, on June 9, 2010, the Court Clerk issued a Notice scheduling a Case Management Conference on August 9, 2010 (Docket No. 53); and

WHEREAS, the Court held a hearing concerning the motions for appointment as Lead Plaintiff, Lead Counsel and consolidation on July 12, 2010, at which time, the Court requested additional information concerning the Lead Plaintiff Movants (Docket No. 79); and

1 WHEREAS, the Court stated at the hearing concerning the motions for appointment as  
2 Lead Plaintiff, Lead Counsel and consolidation on July 12, 2010 that *Vadym Shabanov v.*  
3 *Medivation, Inc., et al.*, cv 10-1049 MHP and *Slotkin v. Medivation, Inc., et al.*, cv 10-02005  
4 MHP, had already been related to and would be consolidated with *David Applestein v.*  
5 *Medivation, Inc., et al.*, cv 10-0998 MHP; and

6 WHEREAS, the Court indicated at the hearing concerning the motions for appointment  
7 as Lead Plaintiff, Lead Counsel and consolidation on July 12, 2010 that it would set the Case  
8 Management Conference either after Defendants file an answer, or when a hearing is scheduled  
9 on a motion to dismiss; and

10 WHEREAS, the Lead Plaintiff Movants submitted supplemental information concerning  
11 the appointment as Lead Plaintiff (Docket Nos. 82-87); and

12 WHEREAS, on August 4, 2010, counsel for Defendants and counsel for Plaintiffs  
13 discussed whether counsel would be willing to stipulate to continue the Case Management  
14 Conference until either after Defendants file an answer, or when a hearing is scheduled on a  
15 motion to dismiss in order to conserve judicial and litigant resources; and

16 THEREFORE, the parties jointly stipulate and respectfully request, subject to the Court's  
17 approval, that the case management conference should be continued until either after Defendants  
18 file an answer, or when a hearing is scheduled on a motion to dismiss.

19  
20 IT IS SO STIPULATED.

21 DATED: August 5, 2010

22 IZARD NOBEL LLP  
23 JEFFREY S. NOBEL  
24 MARK P. KINDALL  
25 NANCY A. KULESA  
26 /s/ MARK P. KINDALL  
27 MARK P. KINDALL  
28 29 South Main Street, Suite 215  
West Hartford, CT 06107  
Telephone: 860/493-6292  
860/493-6290 (fax)

Attorneys for Mark Slotkin

1 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint  
2 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In  
3 compliance with General Order 45, X.B., I hereby attest that Danielle S. Meyers has concurred in  
4 this filing.

5 DATED: August 5, 2010

ROBBINS GELLER RUDMAN  
& DOWD LLP  
DARREN J. ROBBINS  
DANIELLE S. MYERS  
/s/ DANIELLE S. MYERS  
DANIELLE S. MYERS  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

Attorneys for Hopson Family Investments

14 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint  
15 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In  
16 compliance with General Order 45, X.B., I hereby attest that U. Seth Ottensoser has concurred in  
17 this filing.

18 DATED: August 5, 2010

BERNSTEIN LIEBHARD LLP  
SANDY A. LIEBHARD  
U. SETH OTTENSOSER  
JOSEPH R. SEIDMAN, JR.  
/s/ U. SETH OTTENSOSER  
U. SETH OTTENSOSER  
10 E. 40th Street  
New York, NY 10016  
Telephone: 212/779-1414  
Fax: 212/779-3218

Attorneys for Catoosa Fund, LP

26 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint  
27 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In  
28 compliance with General Order 45, X.B., I hereby attest that Rosemary M. Rivas has concurred  
in this filing.

1  
2 DATED: August 5, 2010

FINKELSTEIN THOMPSON LLP  
ROSEMARY M. RIVAS  
MARK PUNZALAN  
/s/ ROSEMARY M. RIVAS  
ROSEMARY M. RIVAS  
100 Bush Street, Suite 1450  
San Francisco, CA 94104  
Telephone: 415/398-8700  
415/398-8704 (fax)

8 Attorneys for Randy Schindler

9 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint  
10 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In  
11 compliance with General Order 45, X.B., I hereby attest that William J. Doyle has concurred in  
this filing.

12 DATED: August 5, 2010

DOYLE LOWTHER LLP  
WILLIAM J. DOYLE II  
/s/ WILLIAM J. DOYLE II  
WILLIAM J. DOYLE II  
9466 Black Mountain Road, Suite 210  
San Diego, CA 92126  
Telephone: 619/573-1700  
619/573-1701 (fax)

KENDALL LAW GROUP LLP  
JOE KENDALL  
JAMIE J. MCKEY  
3232 McKinney, Suite 700  
Dallas, TX 75204  
Telephone: 214/744-3000  
214/744-3015 (fax)

22 Attorneys for Michael Solomon

1 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint  
2 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In  
3 compliance with General Order 45, X.B., I hereby attest that Angela L. Dunning has concurred  
4 in this filing.

5 DATED: August 5, 2010

COLEY GODWARD KRONISH LLP

ANGELA L. DUNNING

/s/ ANGELA L. DUNNING

ANGELA L. DUNNING

JOHN C. DWYER

Five Palo Alto Square

3000 El Camino Real

Palo Alto, CA 94306-2155

Telephone: 650/843-5855

650/849-7400 (fax)

Attorneys for Defendants

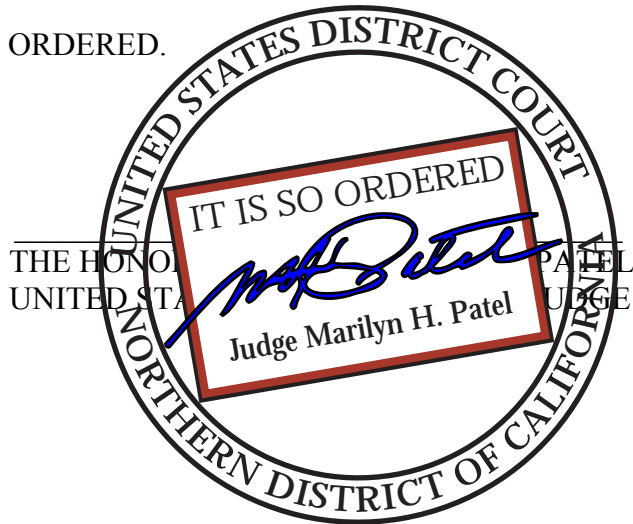
**GOOD CAUSE APPEARING THEREFORE: the Court ORDERS as follows:**

1. The August 9, 2010 Case Management Conference shall be taken off the calendar; and

2. The new case management conference date shall be scheduled either after Defendants file an answer, or when a hearing is scheduled on a motion to dismiss;

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/6/2010



**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of August, 2010 this document was filed electronically and served via U.S. mail on all parties not registered electronically. Notice of this filing will be sent by e-mail to all parties denoted on the attached Electronic Mail Notification List by the Court's electronic filing system.

/s/ Mark P. Kindall  
Mark P. Kindall (138703)  
29 South Main Street, Suite 215  
West Hartford, Connecticut 06107  
Tel.: (860) 493-6292  
Fax: (860) 493-6290  
mkindall@izardnobel.com

**Mailing Information for a Case 3:10-cv-00998-MHP**

**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Brian Joseph Barry , Esq**  
bribarry1@yahoo.com
- **William James Doyle , II**  
bill@doylelowther.com
- **Angela Lucille Dunning**  
adunning@cooley.com,bgiovannoni@cooley.com
- **John C. Dwyer**  
dwyerjc@cooley.com,giovannonib@cooley.com
- **Donald J. Enright**  
dje@ftllaw.com,lwf@ftllaw.com
- **Michael M. Goldberg**  
info@glancylaw.com
- **Dennis J. Herman**  
dennish@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,jdecena@rgrdlaw.com,e\_file\_sf@rgrdlaw.com
- **Mark P. Kindall**  
firm@izardnobel.com,mkindall@izardnobel.com
- **Catherine J. Kowalewski**  
katek@rgrdlaw.com

- 1 • **John Allen Lowther , IV**  
john@doylelowther.com
- 2 • **Danielle Suzanne Myers**  
3 dmyers@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,e\_file\_sf@rgrdlaw.  
com
- 4 • **Alan R Plutzik**  
aplutzik@bramsonplutzik.com,ptoovey@bramsonplutzik.com
- 5 • **Mark Punzalan**  
6 mpunzalan@finkelsteinthompson.com,srenwick@finkelsteinthomp  
son.com,denright@finkelsteinthompson.com
- 7 • **Rosemary M. Rivas**  
8 rrivas@finkelsteinthompson.com,srenwick@finkelsteinthompson  
9 .com,mpunzalan@finkelsteinthompson.com,ttien@finkelsteintho  
mpson.com,jdito@finkelsteinthompson.com
- 10 • **Darren Jay Robbins**  
e\_file\_sd@rgrdlaw.com
- 11 • **Laurence M. Rosen**  
lrosen@rosenlegal.com,larry.rosen@earthlink.net
- 12 • **Andrew Joseph Sokolowski**  
13 asokolowski@milberg.com,mbowman@milberg.com,agenovese@milbe  
rg.com,cchaffins@milberg.com
- 14 • **David Conrad Walton**  
davew@rgrdlaw.com
- 15 • **Shawn A. Williams**  
16 shawnw@rgrdlaw.com,travisd@rgrdlaw.com,ptiffith@rgrdlaw.com  
17 ,cwood@rgrdlaw.com,jdecena@rgrdlaw.com,e\_file\_sf@rgrdlaw.co  
m,khuang@rgrdlaw.com,e\_file\_sd@rgrdlaw.com

#### 18 **Manual Notice List**

19 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case  
20 (who therefore require manual noticing).

21 **Joseph R. Seidman, Jr**  
Bernstein Liebhard LLP  
22 10 East 40th Street  
23 New York, NY 10016